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No. 330

In the Supreme Court of the United States

OCTOBER TERM, 1970

THE LOS ANGELES HERALD EXAMINER, DIVISION OF THE HEARST CORP., ET AL., PETITIONERS

v.

RALPH E. KENNEDY, REGIONAL DIRECTOR OF REGION 21 OF THE NATIONAL LABOR RELATIONS BOARD, ET AL.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

SUPPLEMENTAL MEMORANDUM FOR RESPONDENT KENNEDY

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In the Supreme Court of the United States

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THE LOS ANGELES HERALD EXAMINER, DIVISION OF THE HEARST CORP., ET AL., PETITIONERS

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We are filing this supplemental memorandum to advise the Court that, on August 27, 1970, the Board issued its decision in the main unfair practice proceeding, to which the injunction proceeding which is the subject of the present petition is ancillary. *Los Angeles Newspaper Guild, Local 69, et al.*, 185 NLRB No. 25, 75 LRRM 1014, holding that the unions

had engaged in secondary boycott activity in violation of Section 8(b)(4)(B) of the National Labor Relations Act; petition to review filed August 31, 1970, No. 26370 (C.A. 9). In these circumstances, the injunction proceeding in which petitioner seeks party status has become moot. *Sear Roebuck & Co.* v. *Local 419, Carpet Layers Union*, 397 U.S. 655.

Respectfully submitted,

ERWIN N. GRISWOLD,
Solicitor General.

ARNOLD ORDMAN,
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National Labor Relations Board.

OCTOBER 1970.

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